

UNITED STATES DISTRICT COURT

Western District of North Carolina

UNITED STATES OF AMERICA

V.

CHRISTOPHER BRIAN KIRKLAND

) **JUDGMENT IN A CRIMINAL CASE**) (For **Revocation** of Probation or Supervised Release)

) (For Offenses Committed On or After November 1, 1987)

)

) Case Number: DNCW105CR000254-001

) USM Number: 57943-019

)

) Mary Ellen Coleman

) Defendant's Attorney

THE DEFENDANT:

- ☒ Admitted guilty to violation of conditions 1-11 of the term of supervision.
- ☐ Was found in violation of condition(s) count(s) after denial of guilt.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations:

Violation Number	Nature of Violation	Date Violation Concluded
1	DRUG/ALCOHOL USE	5/30/2014
2	DRUG/ALCOHOL USE	12/15/2014
3	DRUG/ALCOHOL USE	6/01/2015
4	OTHER – DURING PERIOD OF HOME DETENTION, DEFENDANT LEFT HIS RESIDENCE WITHOUT PERMISSION FROM THE U.S. PROBATION OFFICER; DEFENDANT DID NOT RETURN TO HIS RESIDENCE AT THE PRE-APPROVED TIME PERMITTED BY THE U.S. PROBATION OFFICER; DEFENDANT TAMPERED WITH THE LOCATION MONITORING DEVICE ON HIS ANKLE, WITH THE INTENT TO REMOVE THE UNIT	7/01/2015
5	DRUG/ALCOHOL USE	8/30/2015
6	DRUG/ALCOHOL USE	10/09/2015
7	DRUG/ALCOHOL USE	11/14/2015
8	NEW LAW VIOLATION – DRIVING WHILE LICENSE REVOKED; UNSAFE PASSING	11/23/2015
9	NEW LAW VIOLATION - POSSESSION OF MARIJUANA	11/23/2015
10	DRUG/ALCOHOL USE	11/23/2015
11	FAILURE TO COMPLY WITH DRUG TESTING/TREATMENT REQUIREMENTS	12/03/2015

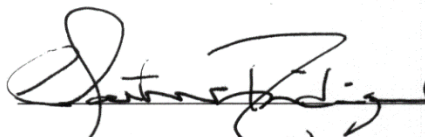
The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).


- ☐ The Defendant has not violated condition(s) and is discharged as such to such violation(s) condition.
- ☒ Violations 12 & 13 are dismissed on the motion of the United States.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 6/28/2016

Signed: July 7, 2016


 Martin Reidinger
 United States District Judge



Defendant: Christopher Brian Kirkland
Case Number: DNCW105CR000254-001

Judgment- Page 2 of 3

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of EIGHTEEN (18) MONTHS.

- ☒ The Court makes the following recommendations to the Bureau of Prisons:
- Participation in the Federal Inmate Financial Responsibility Program.
 - Participation in any available substance abuse treatment program and if eligible receive benefits of 18:3621(e)(2).
 - Defendant shall support all dependents from prison earnings.
 - Participation in any available educational and vocational opportunities.
 - Placed in a facility as close to Atlanta, Georgia, as possible, considering his security classification.

☒ The Defendant is remanded to the custody of the United States Marshal.

☐ The Defendant shall surrender to the United States Marshal for this District:

- ☐ As notified by the United States Marshal.
- ☐ At _ on _.

☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ As notified by the United States Marshal.
- ☐ Before 2 p.m. on _.
- ☐ As notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this Judgment.

United States Marshal

By: _____
Deputy Marshal

Defendant: Christopher Brian Kirkland
Case Number: DNCW105CR000254-001

Judgment- Page 3 of 3

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
\$0.00	\$0.00	\$0.00

☐ The determination of restitution is deferred until. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☒ In all other respects, the terms of the original judgment [Doc. 18] in this matter remain in full force and effect, including the order for payment of:

- ☐ restitution, with there being a balance remaining in the amount of \$.
- ☒ court-appointed counsel fees, with there being a balance remaining in the amount of \$165.00.
- ☐ special assessment with there being a balance remaining in the amount of \$.

FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

COURT APPOINTED COUNSEL FEES

☐ The defendant shall pay court appointed counsel fees.

☐ The defendant shall pay \$0.00 towards court appointed fees.